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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,320	12/29/2000	Andrew Rouse	23452-129	6988

909 7590 05/05/2005

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EXAMINER

PAN, YUWEN

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/750,320	ROUSE ET AL.	
	Examiner	Art Unit	
	Yuwen Pan	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21,22,24-30,32-39 and 41-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21,22,24-30,32-39 and 41-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/27/04, 2/10/05</u> | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/03/04 has been entered.
2. The examiner acknowledges that claims 23, 31, 36 and 40 have been cancelled without prejudices.

DETAILED ACTION

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21, 22, 24-30, 32-36, 37-39, and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilhuly et al (US006701378B1) in view of Kobayashi (US006633759B1).

Per claims 21, 28, 33 and 38, Gilhuly discloses that a method for enabling a wireless client device to communicate with at least one server having one or more applications residing thereon, the method (see figures 6-8) comprising the steps of: enabling the wireless client device to select an application residing on the at least one server; enabling the wireless client device to select at

Art Unit: 2682

least one application action associated with the selected application residing on the at least one server; executing the at least one selected application action on the at least one server (see column 2 and lines 25-39); formatting at least one application output associated with the at least one selected application action based on a profile of the wireless client device; and transmitting the formatted at least one application output to the wireless client device (see column 2 and lines 34-51). Gilhuly doesn't teach that the application action comprising at least one of opening at least one file within the server, closing at least one file with the server, editing at least one file within the server, and searching at least one file within the server. Kobayashi teach that a unit for, via a wireless link, sending a signal to the external device to start software installed therein (see figure 7, column 2 and lines 21-30). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Kobayashi with Gilhuly's system such that a user would be able to distantly control an application within a remote server without physically being there.

Per claims 22, 32, 37, Gilhuly further teaches that the user would be able to select at least one application (see column 5 and lines 48-53).

Per claims 24 and 41, Gilhuly further teach that the profile of the wireless client device comprises at least one of a feature of the wireless client device and a command associated with previously selected application action (see column 5 and lines 48-53).

Art Unit: 2682

Per claims 25, 42, Gilhuly further teaches that the feature of the wireless client device comprises at least one of an input interface, a display, and a data processing feature (see column 3 and lines 14-32).

Per claim 26, 43, Gilhuly further teaches that formatting the at least one application output comprises at least one of removing an object or artifact contained in the at least one application output, and altering the object or artifact contained in the at least one application output to reduce an amount of information that the object or artifact contains (see column 6 and lines 36-48).

Per claim 27, 44, Gilhuly further teaches that the wireless client device comprises at least one of a data-capable wireless phone, an interactive pager, or a personal digital assistant (see figure 6 and item 220, column 5 and lines 19-35).

Per claims 29, 30, 34, 35, 39, Gilhuly further teaches that a customization module that enables the at least one wireless client device to customize at least one view of the at least one application output wherein inherently the customization module further enables the at least one wireless client device to customize at least one of a display language, a time zone, a date format, and a font format.(see column 5 and lines 44-63).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 703-305-7372. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yuwen Pan


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